

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

IN RE: )  
)  
SARAH JUNE JULIAN ) CASE NO. 14-10640-RLM  
)  
DEBTOR )  
)

**MOTION TO SELL REAL PROPERTY**

Comes now the Debtor, Sarah June Robison, formerly known as Sarah June Julian, by counsel, and moves the Court pursuant to 11 U.S.C. 363 to approve the sale of property as described below. In support of her Motion the Debtor states as follows:

1. The property to be sold is residential real estate commonly known as 111 Bayley Circle Noblesville, IN 46062: Lot 19 North Harbor, Section 1, Hamilton County.
2. The property is currently held as fee simple by the Debtor Sarah June Julian.
3. The prospective purchasers are Justin and Sarah Newby.
4. Seterus holds a first priority mortgage lien on the Debtor's residence with balance of approximately \$284,170.39.
5. STAR Financial Bank holds a second mortgage lien on the Debtor's residence with a balance of approximately \$30,124.28.
6. The sale of the real estate for \$380,000.00 shall pay the mortgage creditors Seterus and STAR Financial Bank, real estate taxes to Hamilton County, and fees of costs of the sale as listed in the attached Settlement Statement, with the remaining net proceeds to be turned over to the Chapter 13 Trustee for distribution to be determined by a separate motion and order.

7. There are no known contingencies to the sale.
8. A copy of the purchase agreement is attached to this motion as Exhibit A.
9. The property was marketed by John Hirschfeld, real estate agent with F.C. Tucker, whose address is 100 Lakeview Drive, Noblesville, IN 46060. An Application to Employ Mr. Hirschfeld was filed in this case on October 5, 2017, and no objections have been received to date. There are no other current offers to purchase.
10. There are no known relationships among the prospective purchaser and its insiders and the Debtor and the Trustee and their insiders.
11. The closing date is expected to be on November 3, 2017.

NOTICE IS GIVEN that any objection to the proposed sale must be filed with the Bankruptcy Clerk within **21 days** from date of service [or such other time period as may be permitted by Fed.R. Bankr.P. 9006(f)]. Those not required or not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at:

116 U.S. Courthouse  
46 E. Ohio St.  
Indianapolis, IN 46204

The objecting party must ensure delivery of the objection to the party filing the motion. **If an objection is NOT timely filed, the requested relief may be granted.**

WHEREFORE, Debtor moves the Court for an Order allowing the sale of the real property at 111 Bayley Circle Noblesville, IN 46062, Hamilton County, for settlement and distribution of sale proceeds as set forth above, and for any other relief just and proper in the premises.

By: /s/ Andrew Sawin

Sawin & Shea, LLC  
Attorneys for Debtor(s)  
6100 N KEYSTONE AVE STE 620  
INDIANAPOLIS IN 46220-2430  
[ecf@sawinlaw.com](mailto:ecf@sawinlaw.com)

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served on the following parties through the Court's Electronic Case Filing System or by first-class U.S. Mail, postage prepaid:

United States Trustee

Chapter 13 Trustee

See attached creditor listing

October 6, 2017

/s/ Andrew Sawin

CitiMortgage, Inc  
P.O. Box 688971  
Des Moines, IA 50368-8971

Ally Financial  
200 Renaissance Ctr  
Detroit, MI 48243-1300

Ally Financial serviced by Ally Servicing LL  
PO Box 130424  
Roseville, MN 55113-0004

American Express  
PO Box 650448  
Dallas, TX 75265-0448

American Express Bank FSB  
c/o Becket and Lee LLP  
POB 3001  
Malvern PA 19355-0701

American Financial Credit Services  
10333 North Meridian  
Suite 270  
Indianapolis, IN 46290-1144

American InfoSource LP as agent for  
St. Vincent Hospital  
as assignee of St Vincent Carmel Hospita  
PO Box 248838  
Oklahoma City, OK 73124-8838

(p)BANK OF AMERICA  
PO BOX 982238  
EL PASO TX 79998-2238

Capital One NA  
c/o Becket and Lee LLP  
POB 3001  
Malvern PA 19355-0701

Chase-pier1  
P.o. Box 15298  
Wilmington, DE 19850-5298

(p)CITIBANK  
PO BOX 790034  
ST LOUIS MO 63179-0034

Citimortgage Inc  
Po Box 9438  
Gaithersburg, MD 20898-9438

Comenity Bank/gndrmtmc  
Po Box 182789  
Columbus, OH 43218-2789

Comenity Bank/pier 1  
4590 E Broad St  
Columbus, OH 43213-1301

Community Wide Fcu  
Attn:Bankruptcy  
1555 Western Ave  
South Bend, IN 46619-3742

Department Stores National Bank For Macys Br  
Bankruptcy Processing  
Po Box 8053  
Mason, OH 45040-8053

Ditech.com/GMAC Mortgage  
Attn: Bankruptcy  
1100 Virginia Dr  
Fort Washington, PA 19034-3277

Dsnb Macys  
9111 Duke Blvd  
Mason, OH 45040-8999

(p)US BANK  
PO BOX 5229  
CINCINNATI OH 45201-5229

Federal National Mortgage Association  
creditor c/o Seterus, Inc.  
PO Box 1047  
Hartford, CT 06143-1047

First Premier Bank  
3820 N Louise Ave  
Sioux Falls, SD 57107-0145

Forum Credit Union  
11313 Usa Pkwy  
Fishers, IN 46037-9208

GECRB/ Old Navy  
Attention: GEMB  
Po Box 103104  
Roswell, GA 30076-9104

GECRB/JC Penny  
Attention: Bankruptcy  
Po Box 103104  
Roswell, GA 30076-9104

GECRB/Sams Club  
Gecrb/Sams Club  
Po Box 103104  
Roswell, GA 30076-9104

Gander Mountain  
POB 659569  
San Antonio, TX 78265-9569

Gm Financial  
Po Box 181145  
Arlington, TX 76096-1145

Hamilton County Treasurer  
33 N. Ninth St.  
Noblesville, IN 46060-2200

Haney CPA Group, P.C.  
7510 E. 82nd St.  
Indianapolis, IN 46256-1410

Huntington Natl Bk  
Huntington National Bank - Bankruptcy No  
Po Box 89424  
Cleveland, OH 44101-6424

INDIANA DEPARTMENT OF REVENUE  
BANKRUPTCY SECTION, MS108  
100 N. SENATE AVE. , N240  
INDIANAPOLIS, IN 46204-2231

Indiana Department of Revenue  
IN Government Center North  
100 N. Senate, Rm N-240  
Indianapolis, IN 46204-2231

IndyMac Bank/OneWest Bank  
Attn:Bankruptcy Department  
2900 Esperanza Crossing  
Austin, TX 78758-3658

Internal Revenue Service  
Attn: Bankruptcy Dept  
PO Box 7346  
Philadelphia, PA 19101-7346

JC Penny  
PO Box 960090  
Orlando, FL 32896-0090

Kohls/capone  
N56 W 17000 Ridgewood Dr  
Menomonee Falls, WI 53051-7096

Marion County Treasurer  
City County Bldg., Rm 1041  
200 E. Washington St.  
Indianapolis, IN 46204-3356

Med 1 Solutions  
517 US Highway 31 N.  
Greenwood, IN 46142-3932

New Century Mortgage C/Carrington  
1610 E. St. Andrew Place  
B150  
Santa Ana, CA 92705-4931

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Quantum3 Group LLC as agent for  
Comenity Bank  
PO Box 788  
Kirkland, WA 98083-0788

Quantum3 Group LLC as agent for  
MOMA Funding LLC  
PO Box 788  
Kirkland, WA 98083-0788

STAR Financial Bank  
Retail Managed Asset  
P. O. Box 151600  
Anderson, IN 46015-1600

eCAST Settlement Corporation  
PO Box 29262  
New York NY 10087-9262

Sears/cbsd  
Citicorp Credit Services/Attn: Centraliz  
Po Box 20363  
Kansas City, MO 64195-0363

Select Portfolio Servicing  
Po Box 65250  
Salt Lake City, UT 84165-0250

Star Financial Bank  
6230 Bluffton Rd  
Fort Wayne, IN 46809-2260

State Farm Fnci Svcs F  
State Farm Bank/ Attention: Bankruptcy  
Po Box 2328  
Bloomington, IL 61702-2328

Syncb/toysrusdc  
Po Box 965005  
Orlando, FL 32896-5005

TD BANK USA, N.A.  
C O WEINSTEIN, PINSON AND RILEY, PS  
2001 WESTERN AVENUE, STE 400  
SEATTLE, WA 98121-3132

Target  
PO Box 660170  
Dallas, TX 75266-0170

Td Bank Usa/targetcred  
Po Box 673  
Minneapolis, MN 55440-0673

Toys R US  
PO Box 530939  
Atlanta, GA 30353-0939

American Land Title Association

ALTA Settlement Statement - Combined

Adopted 05-01-2015

File No./Escrow No.: 26194

Print Date &amp; Time: 09/29/17 12:23 PM

Officer/Escrow Officer:

Settlement Location: Title Services, LLC

9201 N. Meridian Street

Indianapolis, IN 46260

Title Services, LLC

ALTA Universal ID: 1017366

9201 N. Meridian Street

Suite 100

Indianapolis, IN 46260

**Property Address:**

Lot 19, North Harbour, Section 1, Hamilton County, IN

111 Bayley Circle

Noblesville, IN 46062

**Buyer:**

Justin Newbry and Sarah Newbry, husband and wife

**Seller:**

Sarah J. Robison

**Lender:**

Tucker Mortgage, LLC

**Settlement Date:**

11/03/2017

**Disbursement Date:**

11/03/2017

**Additional dates per state requirements:**

Seller		Description	Borrower/Buyer	
Debit	Credit		Debit	Credit
		<b>Financial</b>		
	\$380,000.00	Sale Price of Property	\$380,000.00	
		Deposit		\$3,500.00
		Loan Amount		\$1,000.00
		<b>Prorations/Adjustments</b>		
\$3,325.66		County Property Taxes from 01/01/2017 thru 11/02/2017		\$3,325.66
		<b>Title Charges &amp; Escrow / Settlement Charges</b>		
\$212.50		Title - Closing Fee to Title Services, LLC	\$212.50	
		Title - Closing Protection Letters to Old Republic National Title	\$50.00	
		Title - Simplifile Electronic Record Fee to Simplifile	\$7.00	
		Title - TIEFF Fee to Old Republic National Title Ins.	\$5.00	
		Title - Title Admin Fee to Title Services, LLC	\$200.00	
\$20.00		Title - Bank Charges to Title Services, LLC		
\$25.00		Title - Closing Protection Letter to Old Republic National Title		
\$20.00		Title - Courier Fee to Title Services, LLC		
\$300.00		Title - Search & Exam Fee to Title Services, LLC		
\$5.00		Title - TIEFF Fee to Old Republic National Title Ins.		
		Title - Lender's Title Insurance \$6.00 to Title Services, LLC	\$6.00	
\$708.00		Title - Owner's Title Insurance \$708.00 to Title Services, LLC		
		<b>Commission</b>		

Seller		Description	Borrower/Buyer	
Debit	Credit		Debit	Credit
\$10,906.00		Real Estate Commission - Buyer's Realtor to F. C. Tucker Co. 10		
\$13,794.00		Real Estate Commission - Listing to F. C. Tucker Co. 08		
		<b>Government Recording and Transfer Charges</b>		
		Recording Fee (Deed) to Recorder County	\$25.00	
		Recording Fee (Mortgage) to Recorder County	\$55.00	
		Auditor Sale Disclosure Fee to Auditor County	\$15.00	
		<b>Payoff(s)</b>		
		Lender: Payoff of First Mortgage Loan to Seterus, Inc. \$283,543.31		
\$283,543.31		Total (\$283,543.31)		
		Lender: Payoff of Second Mortgage Loan to STAR Financial Bank \$30,124.28		
\$30,124.28		Total (\$30,124.28)		
		<b>Miscellaneous</b>		
\$1,983.44		2016/2017 Fall Tax Installment 11-06-23-01-02-021.000 to Hamilton County Treasurer		
\$150.00		Attorney Fee to David A. Schmitz, Attorney at Law, LLC		
\$600.00		Home Warranty to NEED INVOICE		
		Homeowners Assoc Dues Initiation Fee to North Harbour Property Owners Assoc	\$95.00	
\$112.50		Homeowners Assoc Trans/Cert Fee	\$112.50	
		Survey Fee to Hahn Surveying Group	\$175.00	
\$1,923.17		Nov Taxes 16 due 17 to Hamilton County Treasurer		
Seller			Borrower/Buyer	
Debit	Credit		Debit	Credit
\$347,752.86	\$380,000.00	<b>Subtotals</b>	\$380,958.00	\$7,825.66
		Due From Borrower		\$373,132.34
\$32,247.14		Due To Seller		
\$380,000.00	\$380,000.00	<b>Totals</b>	\$380,958.00	\$380,958.00

**Acknowledgement**

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Title Services, LLC to cause the funds to be disbursed in accordance with this statement.

\_\_\_\_\_  
Justin Newbry

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sarah J. Robison

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sarah Newbry

\_\_\_\_\_  
Date

\_\_\_\_\_  
Escrow Officer

\_\_\_\_\_  
Date